

PROB 12C
(7/93)

Report Date: May 30, 2013

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**MAY 30 2013**SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Brian Patrick Rukke

Case Number: 2:05CR00158-001

Address of Offender: [REDACTED] Ephrata, WA 98823

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 5/16/2006

Original Offense: Receipt of Child Pornography, 18 U.S.C. § 2252A(a)(2)(A)

Original Sentence: Prison - 63 Months;
TSR - 60 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Stephanie A. Van Marter

Date Supervision Commenced: 1/21/2011

Defense Attorney: Gerald Smith

Date Supervision Expires: 1/20/2016

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

- 1 **Special Condition # 16:** You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs and plethysmographs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising probation officer and the treatment provider. You shall pay for treatment and testing according to your ability.

Supporting Evidence: On May 30, 2013, Brian Patrick Rukke was removed from sex offender treatment due to violations of treatment rules and conditions.

- 2 **Special Condition # 17:** You shall be prohibited from possessing or manufacturing any material, including videos, magazines, photographs, computer-generated depictions, or any other forms that depict sexually explicit conduct involving children or adults, as defined at 18 U.S.C. § 2256(2). Neither shall you enter nor frequent any establishment involved in the sex industry, including adult bookstores, massage parlors, and strip bars. You shall not utilize any sex-related adult telephone numbers. The supervising probation officer is authorized to monitor compliance in this area by obtaining telephone records.

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Supporting Evidence: Brian Patrick Rukke admitted to both the polygrapher and a U.S. Probation Officer to having possessed and viewed pornographic materials multiple times over the previous year.

- 3 **Special Condition # 23:** You shall not possess or use any computer with access to any Internet/on-line computer service without the advance approval of the supervising probation officer. This includes any Internet service provider, bulletin board system, or any other public or private computer network and you shall not utilize any electronic communication device except as explicitly allowed by the supervising probation officer.

Supporting Evidence: Brian Patrick Rukke admitted to the polygrapher and a U.S. Probation Officer to using computers to view pornography.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/30/2013

s/Curtis G. Hare

Curtis G. Hare
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

May 30, 2013
Date